COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CONTEL CELLULAR OF   )
KENTUCKY, INC. FOR ISSUANCE OF A   )
CERTIFICATE OF PUBLIC CONVENIENCE AND   )
NECESSITY TO CONSTRUCT AN ADDITIONAL   )   CASE NO. 95-225
CELL FACILITY IN THE LOUISVILLE,   )
KENTUCKY METROPOLITAN STATISTICAL AREA   )
(BELL MEADE CELL FACILITY)   )

                    O R D E R

On July 18, 1995, the City of Lyndon and the Lyndon Fire Protection District filed letters, which the Commission will treat as motions, requesting a hearing on the proposed cell site. On July 26, 1995, Contel Cellular of Kentucky, Inc. ("Contel Cellular") filed with the Commission a copy of a letter to James G. Hodge, Sr., Esq., attorney for the City of Lyndon and the Lyndon Fire Protection District, memorializing the parties' agreement to meet to discuss the proposed facility on August 21, 1995. The letter indicates that the parties intend to attempt to resolve this matter through negotiation and exploration of alternative sites for the proposed facility. Accordingly, the Commission finds that the motions for a hearing should be held in abeyance until the Commission is notified that the parties have been unable to resolve their differences through negotiation and that they believe a hearing on the matter is necessary.

The Commission being sufficiently advised,

IT IS THEREFORE ORDERED that:

1. The motions of the City of Lyndon and the Lyndon Fire Protection District for a hearing shall be held in abeyance until the Commission is notified that the parties have been unable to resolve their differences through negotiation and that a hearing on the matter is necessary.

2. The parties shall inform the Commission when their dispute has been resolved or, in the alternative, when they have reached the conclusion that their differences cannot be resolved through negotiation and that they believe a hearing on the matter is necessary.

Done at Frankfort, Kentucky, this 28th day of July, 1995.

PUBLIC SERVICE COMMISSION

For the Commission

ATTEST:

Executive Director